



DEPARTMENT OF TRANSPORTATION  
MATERIALS TRANSPORTATION BUREAU  
WASHINGTON, D.C. 20590

27002

[ 49 CFR Part 171 ]

[Docket No. HM-150; Notice No. 77-4]

**RADIOACTIVE MATERIALS IMPORTED  
INTO THE UNITED STATES**

**Quantity Limitations**

**AGENCY:** Materials Transportation Bureau, DOT.

**ACTION:** Notice of Proposed Rule Making.

**SUMMARY:** This proposed rule would permit the import into the United States of packages of Type A and low specific activity radioactive materials which have been prepared in accordance with the quantity limitations of the most recent International Atomic Energy Agency (IAEA) standards. The proposal would permit such IAEA quantity limitations to be used in place of existing DOT quantity limitations, since differences between the two requirements are small but nevertheless hinder importation of Type A and low specific activity materials.

**DATE:** Comments must be received on or before June 27, 1977.

**RESSES:** Comments must be addressed to Docket Section, Office of Hazardous Materials Operations, U.S. Department of Transportation, 2100 2nd Street SW., Washington, D.C. 20590. Five copies of comments are requested but not required.

**FOR FURTHER INFORMATION CONTACT:**

Dr. C. H. Thompson, Acting Director, Office of Hazardous Materials Operations, 2100 2nd Street SW., Washington, D.C. 20590, phone 202-426-0656.

**SUPPLEMENTARY INFORMATION:** Many countries and international transport organizations throughout the world have adopted the standards of the International Atomic Energy Agency's Regulations for the Safe Transport of Radio-

active Materials, 1973 Revised Edition, and the adoption of these standards by other countries is imminent. Since the allowable quantity limits for Type A quantities and for low specific activity radioactive materials as set forth in the 1973 IAEA Regulations are at variance with the limits established in current DOT Hazardous Materials Regulations, packages of such radioactive materials imported into the United States, while meeting the standards of the originating country or international transport organizations, and meeting U.S. requirements except for quantity, cannot be transported in commerce in the United States without further repacking. Primary drafters are Alfred W. Grella and Douglas A. Crockett.

The Materials Transportation Bureau is considering an amendment to bring U.S. requirements into closer conformity with 1973 IAEA Standards. However, until final action is taken in that regard, to avoid further interference with import activities involving radioactive materials, the rule proposed herein would authorize the acceptance and transportation of packages meeting the IAEA Standards for Type A or low specific activity radioactive materials.

The proposal would not result in a significant environmental or economic impact, as the net effect of the proposal is to marginally extend domestic quantity limitations for existing packagings. Domestic requirements concerning packaging, marking, labeling and shipping papers are not affected.

In consideration of the foregoing, it is proposed to amend Part 171 of Title 49, Code of Federal Regulations, as follows:

1. In § 171.7 paragraph (d) (10) would be revised to read as follows:

§ 171.7 Matter incorporated by reference.

(d) \* \* \*

(10) IAEA "Regulations for the Safe Transport of Radioactive Materials", 1967 Edition and 1973 Revised Edition, Safety Series No. 6.

2. In § 171.12, a new paragraph (e) would be added to read as follows:

§ 171.12 Import and export shipments.

(e) Notwithstanding the quantity limitations of § 173.389(c) and (L) of this subchapter, any package of radioactive materials which otherwise conforms to the requirements of this subchapter applicable to Type A quantities or low specific activity materials may be offered and accepted for transportation, and transported within the United States, under the following conditions:

(1) The package is being imported into the United States or is passing through in the course of being shipped between places outside the United States.

(2) The country or origin has adopted the Type A quantity limitations and low specific activity materials definition set forth in the IAEA Regulations for the Safe Transport of Radioactive Materials, 1973 Revised Edition.

(3) The contents of the package have been assigned as a Type A quantity or a low specific activity material in accordance with the IAEA Type A quantity limitations and low specific activity materials definition adopted by the origin country. (For fissible radioactive materials or Type B quantities, see § 173.393b of this Chapter.)

(49 U.S.C. 1803, 1804, 1808; 49 CFR 1.53(e) and paragraph (a) (4) of App. A to Part 102.)

**NOTE.**—The Materials Transportation Bureau has determined that this document does not contain a major proposal requiring the preparation of an Economic Impact Statement under Executive Order 11821 and OMB Circular A-107.

Issued in Washington, D.C., on May 20, 1977.

Dr. C. H. THOMPSON,  
Acting Director, Office of  
Hazardous Materials Operations.

[FR Doc. 77-15084 Filed 5-25-77; 8:45 am]